

1632

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Li How Chen et al.**

Application No.: **10/082,018**

Filed: **February 20, 2002**



Art Unit No.: **1632**

Examiner: **Deborah Crouch, Ph.D.**

For: **NOVEL MODIFIED NUCLEIC ACID SEQUENCES AND METHODS FOR  
INCREASING mRNA LEVELS & PROTEIN EXPRESSION IN CELL SYSTEMS**

Attorney Docket Number: **GTC-39C**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REPLY and STATEMENT OF SUBSTANCE OF INTERVIEW**

This Reply, along with the proper petition for a three month extension of time provided herewith, is being filed in response to the Office Action dated August 9, 2005 in connection with the above identified application.

**Examiner's Amendment and Response to Interview Summary**

Applicants thank the Examiner for the Examiner's Amendment of August 1, 2005. The amendments of August 1, 2005 were the result of a telephonic interview with Applicant's attorney, Byron Olsen and Examiner Deborah Crouch, Ph.D. Applicants have reviewed the rewritten claim set and are agreeable to the proposed amendments. The pending claims of the present application are Claims 9, 13-15, 17-20, 24-26, 28-30, 35-38, 40-42, 47-50, 52-55, 59-61, 63-66, 70-72, and 74-76. Applicants understand that the claims, as rewritten by the Examiner, are the claims of record and the allowed claims for the present case. Applicants look forward to receiving the Notice of Allowance for the aforementioned claims of record.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify that under 37 CFR §1.8 that this correspondence is being deposited on January 30, 2006 with the United States Postal Service as First Class Mail Post Office to Addressee with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Dawn C. Greenaway*  
Dawn C. Greenaway

### **Terminal Disclaimer**

In response to the provisional obviousness-type double patenting rejection, Applicants submit herewith a Terminal Disclaimer in compliance with 37 CFR 1.321(c). It is Applicant's understanding that with the filing of the attached Terminal Disclaimer, the non-statutory double patenting rejection is overcome.

### **REMARKS**

Other than a fee for the extension of time and the fee in connection with the Terminal Disclaimer filed herewith, no additional fees are deemed necessary in connection with the filing of this Reply. However, the Commissioner is authorized to charge any fee which may now or hereafter be due for this application to GTC Biotherapeutics' Deposit Account No. 502092.

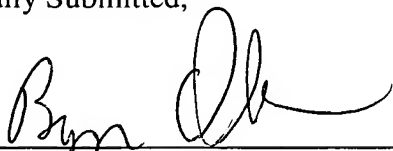
Applicants respectfully submit that the pending claims of this application are in condition for allowance, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, the Examiner is invited to telephone the undersigned at the number given below.

Early and favorable action is earnestly solicited.

Respectfully Submitted,

Date: 1/30/06

By:

  
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